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on 10/4/04
Date of signature *Alvin S. Blum* 10/4/04

IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

APPLICANT: ALVIN BLUM

SERIAL NUMBER : 10/663,887

FILED: 9/16/03

GROUP ART UNIT: 3751

DOCKET NUMBER: B70326

EXAMINER: HUYNH, KHOA

FOR: DISPOSABLE FEMALE URINAL

AMENDMENT AFTER FINAL

Commissioner of Patents and Trademarks

SIR,

In response to the office actions of 6/3/04 and 8/3/04, please amend the application as follows:

THE CLAIMS REMAIN UNCHANGED.

REMARKS

In the office actions, all of the claims 1-16 were rejected under 35 USC 103(a) as being unpatentable over Iwakura (GB2188545) in view of Willis (2690568). Examiner concedes that '545 does not teach applicant's claimed tubular elements. Examiner indicates that '568 teaches those elements, and that it would be obvious to combine the tubular element teaching of '568 with the device of '545.

In rejecting claims 4, 11, and 13, Examiner indicates that since applicant does not specifically show the detailed structure of the grasping tab, it is reasonable to take the position that the grasping tab is the edge portion of the loop. Applicant respectfully refutes the argument, because specification details on page 3, line 2 "The aperture and member are dimensioned for easy insertion of a finger therein. A tab 13 may extend from the aperture to facilitate sliding the finger into the aperture." Fig. 3 shows the tab 13 extending forward of the aperture for easy grasping. Examiner's suggestion that grasping the aperture with the fingers is an acceptable substitute does not account for how the grasping fingers impede the entrance of a finger into the now partially obstructed aperture. Examiner has not shown the claimed "grasping tab".